

false and fraudulent in that the article contained no ingredient or combination of ingredients capable of producing the effects claimed, and in that the said statements were applied to the article knowingly and in reckless and wanton disregard of their truth or falsity, so as to represent falsely and fraudulently to purchasers thereof and create in the minds of such purchasers the impression and belief that it was in whole or in part composed of or contained ingredients or medicinal agents effective in the diseases and conditions named therein.

On June 8, 1929, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16410. Misbranding of Jarabe Compuesto Cocillana Tropical. U. S. v. 144 Bottles of Jarabe Compuesto Cocillana Tropical. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 23870. I. S. No. 02140. S. No. 1845.)

On May 4, 1929, the United States attorney for the District of Porto Rico, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 144 bottles of Jarabe Compuesto Cocillana Tropical at Santurce, P. R., alleging that the article was being offered for sale and sold in Porto Rico by the American Tropical Remedy Co., Santurce, P. R., and charging misbranding in violation of the food and drugs act as amended.

Analysis of a sample of the article by this department showed that it consisted essentially of an extract of a plant drug, menthol, alcohol, sugar, and water.

It was alleged in the libel that the article was misbranded in that the package failed to bear a statement on the label thereof of the quantity or proportion of alcohol contained therein. Misbranding was alleged for the further reason that the following statements regarding the curative and therapeutic effects of the article, (carton, translated from Spanish) "Expectorant * * * Antigrippal * * * Alleviates cough * * * irritation of the throat and bronchia, hoarseness, etc. * * * for treatment of acute and sub-acute diseases of the chest, such as laryngitis, bronchitis, asthma, pleurisy, etc. and for alleviating the cough accompanying these diseases," (bottle, translated from Spanish) "For the treatment of the acute and sub-acute diseases of the chest, such as, bronchitis, laryngitis, pleurisy, asthma, etc. and for alleviating the cough accompanying these diseases," were false and fraudulent in that the article contained no ingredient or combination of ingredients capable of producing the effects claimed, and in that the said statements were applied to the article knowingly and in reckless and wanton disregard of their truth or falsity, so as to represent falsely and fraudulently to purchasers thereof and create in the minds of such purchasers the impression and belief that it was in whole or in part composed of or contained ingredients or medicinal agents effective in the treatment of the diseases or conditions named therein.

On June 8, 1929, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16411. Adulteration and misbranding of cod-liver oil compound tablets. U. S. v. 11 Dozen Cartons of Cod Liver Oil Compound Tablets. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 23434. I. S. No. 06. S. No. 1638.)

On February 18, 1929, the United States attorney for the Northern District of California, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 11 dozen cartons of cod-liver oil compound tablets, remaining in the original unbroken packages at San Francisco, Calif., alleging that the article had been shipped by the Morgenstern Co., from Brooklyn, N. Y., on or about December 23, 1928, and transported from the State of New York into the State of California, and charging adulteration and misbranding in violation of the food and drugs act as amended.

Analysis of a sample of the article by this department showed that the tablets contained iron and zinc compounds, strychnine, extracts of plant drugs including ginger and a laxative drug, and a trace of fish oil.

It was alleged in the libel that the article was adulterated in that its strength fell below the professed standard and quality under which it was sold, namely, cod-liver oil compound tablets.

Misbranding was alleged for the reason that the statement "Cod Liver Oil Compound Tablets," together with the design showing picture of a fish, borne on the wholesale and retail cartons, were false and misleading. Misbranding was alleged for the further reason that the following statements regarding the curative and therapeutic effects of the article were false and fraudulent: (Retail carton) "Loss of Flesh, Malnutrition, Convalescence after * * * Grippe, or Pneumonia," (wholesale carton) "Loss of Flesh, Malnutrition, Convalescence After Colds, Grippe or Pneumonia."

On June 11, 1929, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16412. Adulteration and misbranding of laxative Anti-Gripine. U. S. v. 100 Boxes of Laxative Anti-Gripine. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 23524. I. S. No. 012882. S. No. 1692.)

On or about March 16, 1929, the United States attorney for the Southern District of Indiana, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 100 boxes of laxative Anti-Gripine, remaining in the original unbroken packages at Evansville, Ind., alleging that the article had been shipped by the Anti-Gripine Co., from Springfield, Mo., on or about January 7, 1929, and transported from the State of Missouri into the State of Indiana, and charging adulteration and misbranding in violation of the food and drugs act as amended.

Analysis of a sample of the article by this department showed that it consisted essentially of acetanilide (215.8 grains per ounce), sodium salts, carbonates, capsicum, podophyllin, aconite alkaloids, and extracts of plant drugs including a laxative drug.

It was alleged in the libel that the article was adulterated in that its strength fell below the professed standard under which it was sold, namely, "Each Oz. contains 240 grs. of Acetanilid."

Misbranding was alleged for the reason that the statement on the carton, "Each Oz. Contains 240 grs. of Acetanilid," was false and misleading, and for the further reason that the package failed to bear a statement on the label of the quantity of acetanilide contained therein, since the declaration was incorrect. Misbranding was alleged for the further reason that the following statements and design regarding the curative and therapeutic effects of the article, appearing on the labels and in the circulars, (carton) "None Genuine Without this Grip and the name Anti-Gripine on Package. (Picture of a grip) For the grip * * * coughs * * * Anti-Gripine * * * for * * * La Grip, Influenza, Coughs, * * * For La Grippe, * * * Neuralgia * * * Tonic * * * None genuine without a pictorial Grip and the name Anti-Gripine on box," (circular of testimonials) "Anti-Gripine for La Grip, Flu * * * Neuralgia, Neuritis * * * Anti-Gripine * * * is the best * * * LaGrippe * * * Tablets * * * laxative Anti-Gripine * * * It saved my boy from Pneumonia * * * Take Laxative Anti-Gripine for * * * LaGrippe, Flu * * * Anti-Gripine. I consider it the best * * * La Grippe remedy * * * Remedy for * * * La Grippe * * * Anti-Gripine * * * the best remedy for La Grippe, Flu * * * Anti-Gripine is the best * * * remedy * * * a host of the plagues of mankind would disappear if * * * La Grippe * * * were banished. Laxative Anti-Gripine has no superior as a remedy in the early stages of these ailments. * * * Laxative Anti-Gripine * * * for Coughs * * * Neuralgia, etc. * * * The Flu is raging here and the people are calling for Anti-Gripine," (another circular) "The Common Cold Often Mistaken for LaGrippe, Influenza, Etc. * * * everything which lowers the body vitality, such as chilling of the surface of the body, undue exposure, insufficient ventilation, public gatherings, etc., for the absorption of poison from the intestinal tract, permits the invasion of the respiratory mucous membrane by those organisms which normally live upon them. The inflamed red nose and congested eyes are signals, and we realize that we are taking the 'Common Cold,' the LaGrippe or Influenza."